

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 07-1369

September Term 2009

STB-ExParte646

Filed On: October 23, 2009

CSX Transportation, Inc.,

Petitioner

v.

Surface Transportation Board and United
States of America,

Respondents

American Chemistry Council, et al.,
Intervenors

Consolidated with 07-1370, 07-1371, 07-1372,
07-1410, 08-1194

BEFORE: Rogers, Tatel, and Griffith, Circuit Judges

ORDER

Upon consideration of the petition of Norfolk Southern Railway Company for panel rehearing filed on July 24, 2009, and the response thereto, it is

ORDERED that the petition for rehearing be granted and the opinion filed June 9, 2009, be amended as set forth in the opinion issued this date. It is

FURTHER ORDERED that the judgment of the court issued June 9, 2009, be vacated. The Clerk is directed to enter a new judgment.

The Clerk is directed to issue the mandate seven days after the issuance of this order. See Fed. R. App. P. 41; D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk